

## **REMARKS**

The above-referenced patent application has been reviewed in light of the Office Action, mailed **February 27, 2007** (“the Action”). In the Action, claims 15, 16, and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Macias et al. (U.S. Pub. 2001/008071 – “Macias”), by Hsiao (U.S. Patent 6,324,058 – “Hsiao”), by Ellsworth et al. (U.S. Patent 6,970,355 – “Ellsworth”) and by Hood et al. (U.S. Patent 6,837,063 – “Hood”). Claims 1-8, 15, 16, and 18 are provisionally rejected on the ground of nonstatutory obviousness type double patenting as being unpatentable over claims 1-8, 12, and 13 of copending Application No. 10/957,019.

## **Current Status of Claims:**

With this amendment, claims 1-8, 15, 16 and 18 remain pending. Also, with this amendment, claim 15 is amended. No claims have been canceled or added. No new matter has been introduced.

## **35 U.S.C. § 102 Rejections:**

Claim 15, as currently amended, is cited as follows:

“An apparatus comprising:

a refrigerator to be placed in a mobile computing device, the refrigerator including a cold reservoir and a hot reservoir, the cold reservoir to absorb heat generated by a heat generating unit of the mobile computing device;

a working fluid loop with a fluid of the working fluid loop being in thermal contact with the heat generating unit, the cold reservoir of the refrigerator to absorb heat from the fluid of the working fluid loop;

a heat exchanger to dissipate heat from the fluid of the loop;

a fan to dissipate heat from the heat exchanger; and

a pump to circulate the fluid of the working fluid loop between the heat generating unit and the cold reservoir, wherein at least one of the refrigerator, the pump and the fan are selectively powered off on in response to the mobile computing device receiving power from a battery power source.”

Emphasis added.

Applicants submit that the cited references do not expressly or inherently describe each and every element of currently amended claim 15 because none of the references teach “wherein at least one of the refrigerator, the pump and the fan are selectively powered off on in response to the mobile computing device receiving power from a battery power source.”

Since Macias, Hsiao, Ellsworth and Hood do not expressly or inherently describe each and every element of currently amended claim 15, Applicants respectfully request that the 35 U.S.C. 102 rejections of claim 15 be withdrawn. Further, claims 16 and 18 depend on claim 15, thus Applicants respectfully request that the 35 U.S.C. 102 rejections of these claims be withdrawn as well.

**Double Patenting Rejection:**

Applicants have requested an express abandonment for copending Application No. 10/957,019 under 37 CFR 1.138 by filing a form PTO/SB/24 for the copending application concurrently with this response. This overcomes the double patenting rejection of claims 1-8, 15, 16, and 18.

**CONCLUSION**

Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 50-0221. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Cyndi M. Wheeler at (916) 356-5358.

Respectfully Submitted,

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